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*Wright National Flood Insurance
Services, LLC*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

IMAGEKEEPER LLC, a Nevada Limited
Liability Company,

Plaintiff,

v.

WRIGHT NATIONAL FLOOD INSURANCE
SERVICES, LLC, a Delaware Limited Liability
Company,

Defendant.

Civil Action No.: 2:20-cv-01470-CDS-VCF

**DEFENDANTS' UNOPPOSED
REQUEST AND ~~PROPOSED~~ ORDER
TO AMEND THE SCHEDULING
ORDER**

(Fifth Request)

1 Pursuant to Civil Local Rules IA 6-1 and 6-2, Defendants Wright National Flood Insurance
2 Services, LLC (“Wright Flood”) and Evoke Technologies, LLC (“Evoke”) respectfully request to
3 amend the Scheduling Order (ECF No. 249) in this matter for the limited purpose of filing dispositive
4 motions. Plaintiff ImageKeeper, LLC (“Plaintiff” or “ImageKeeper”) takes no position on
5 Defendants’ request.

6 Under the current schedule, dispositive motions are due on February 24, 2022. (ECF No. 249).
7 Both Wright Flood and Evoke intend to file dispositive motions. Wright Flood previously filed an
8 early motion for summary judgment that is pending before the Court. (ECF No. 218). Aside from
9 dispositive motions, the parties have completed discovery in accordance with the current schedule
10 (ECF No. 249). Defendants’ request is necessitated by several scheduling conflicts that have
11 materialized since the Court’s October 20, 2022 amended Scheduling Order (ECF No. 249). Wright
12 Flood’s request is necessitated by a hearing in another matter that was rescheduled by the court in
13 that other matter. Evoke’s request is necessitated by an upcoming trial in another matter which was
14 recently set by the court in that matter.

15 Because Wright Flood and Evoke intend to file further dispositive motions, in addition to
16 Wright Flood’s already pending early motion for summary judgment (ECF No. 218), no deadline for
17 filing the joint pretrial order is, or will be, scheduled until 30 days after the Court’s decision on the
18 dispositive motions or by further Court order pursuant to Local Rule 26-1(b)(5). Thus, the requested
19 amendment to the current Scheduling Order (ECF No. 249) will not affect any other deadlines or
20 hearing dates in this action.

21 The Parties have previously requested an amendment to the scheduling order on March 15,
22 2021. The Court entered the Scheduling Order on March 16, 2021 (ECF No. 141 at 15). The Court
23 modified the scheduling order on October 12, 2021 (ECF No. 175). The Parties requested another
24 amendment to the scheduling order on December 1, 2021. The Court entered the amended Scheduling
25 Order on December 3, 2021 (ECF No. 186). The Parties requested another amendment to the
26 Scheduling Order on February 25, 2022 (ECF No. 198). The Court entered the amended Scheduling
27 Order on March 1, 2022 (ECF No. 199). The Parties requested another amendment to the Scheduling
28

Order on August 29, 2022 due to a medical emergency of one of the retained experts (ECF No. 247). The Court entered the amended, and current, Scheduling Order on October 20, 2022 (ECF No. 249; *see also* ECF No. 248).

WHEREFORE, the undersigned respectfully requests that the Court approve the present request to amend the Scheduling Order as follows:

ACTION ITEM	OLD DEADLINE (ECF NO. 249)	NEW DEADLINE REQUESTED
Dispositive Motions LR 26-1(b)(4)	February 24, 2023	March 24, 2023 ¹

Joint Pretrial Order April 23, 2023

If dispositive motions are filed, the deadline for filing the joint pretrial order will be suspended until 30 days after decision on the dispositive motions or further court order.

Dated: February 6, 2023

By: /s/ Terry W. Ahearn

Dominica C. Anderson

Terry W. Ahearn

D. Stuart Bartow

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Attorneys for Defendant *Wright National Flood Insurance Services LLC*

Dated: February 6, 2023

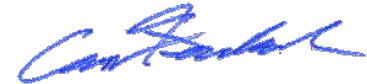
By: /s/ Glenn F. Meier

Glenn F. Meier (NSB #006950)

Bethany L. Rabe (NSB #011691)

Attorneys for Defendant *Evoke Technologies Private Limited*

IT IS SO ORDERED.



Cam Ferenbach

United States Magistrate Judge

2-8-2023

DATED _____

~~The Court's decision on dispositive motions will then trigger the setting of a new pre-trial conference order in accordance with the local rules.~~

PROOF OF SERVICE

I hereby certify that I am a citizen of the United States and am employed in Clark County, where this mailing occurs. I am over the age of eighteen years and not a party to the within entitled action; my business address is 2475 Hanover Street, Palo Alto, CA 93404.

On February 6, 2023, I served the document described as **DEFENDANTS' UNOPPOSED REQUEST AND [PROPOSED] ORDER TO AMEND THE SCHEDULING ORDER** on the interested party(ies) in this action:

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☐ **BY MAIL:** I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. postal service on that same day with postage thereon fully prepaid at Las Vegas, Nevada, in the ordinary course of business.

☐ **BY FEDERAL EXPRESS:** I served said document(s) to be delivered on the same day to a courier or driver authorized by Federal Express to receive documents, in an envelope or package designated by Federal Express.

☒ **BY ELECTRONIC SERVICE:** I served a true copy, with all exhibits, electronically on designated recipients via electronic transmission of said document(s) as provided under Federal Rules of Civil Procedure.

/s/  Andrew Hanna

An employee of DUANE MORRIS LLP